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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,183	04/26/2001	Takeshi Kunimasa	046601-5092	7263
9629	7590	06/28/2005		
MORGAN LEWIS & BOCKIUS LLP 1111 PENNSYLVANIA AVENUE NW WASHINGTON, DC 20004			EXAMINER KASSA, YOSEF	
			ART UNIT 2625	PAPER NUMBER

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/842,183

Applicant(s)

KUNIMASA ET AL.

Examiner

YOSEF KASSA

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on July 28, 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Final Action***  
***Response to Amendment***

1. Applicant's amendment/argument filed on July 28, 2004 has been entered and made of record. Applicant's arguments have been fully considered but they are not deemed to be persuasive for at least the following reasons. Applicant's argues that on page 11 of the remarks, that Kakiuchi et al and Natsudaira did not disclose recognizes whether a specific image is included or not in the image data. The Examiner disagrees. See Kakiuchi col. 4, lines 44-60, determining an image as an object for counterfeiting prevention by pattern recognition process, and also refer to col. 3, lines 45-63, examining whether received input data includes data which can correspond to data as an object of a prescribed examination to determine whether it is the object of a prescribed examination, which clearly reads on the above limitation. Applicant argues that Kakiuchi et al and Natsudaira did not disclose that recognition part that is provided corresponding to the type of rendering object. The Examiner disagrees. See Natsudaira col. 6, lines 44-52, the invention is applied to various identification cards such as passports, driver's licenses, stock certificates and bonds, at least for this reason Natsudaira meets the above limitation. Therefore, the combination of Kakiuchi et al and Natsudaira clearly meet all the claimed invention.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2625

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kakiuchi et al (U.S. Patent 6,687,017), and further in view of Natsudaira (U.S. Patent 5,740,514).

With regard to claim 1, Kakiuchi et al discloses at least one recognition part (see Fig. 1, item 201); and recognizes whether a specific image is included or not in the image data (see col. 9, lines 30-40); and a determination part that determines based upon the result of recognition by one or plural recognition units whether the specific image is included or not in the image data (see col. 9, lines 54-64).

While Kakiuchi et al discloses an object of counterfeit image recognizing process, he is silent about recognition part that is provided corresponding to the type of the rendering object. However, at the same field of endeavor Natsudaira teaches this feature (see col. 6, lines 44-52). At the time of the invention was made, it would have been obvious to incorporate the teaching of Natsudaira's illegal copying preventive process into Kakiuchi et al system. The suggestion/motivation for doing so would have been to provide illegal copying preventive process by promptly judging whether copying is acceptable or not.

Claim 2 is similarly analyzed and rejected the same as claim 1. As to the additional limitation of "synthesizes another type of rendering object". This feature is taught by Natsudaira, that is, an image pattern combining process (see col. 10, lines 38-51). At the time of the invention was made, it would have been obvious to a person of

ordinary skill in the art to incorporate the teaching of Natsudaira illegal copying preventive process into Kakiuchi et al system. The suggestion/motivation for doing so would have been to provide illegal copying preventive process by promptly judging whether copying is acceptable or not.

Claims 3 and 4 are similarly analyzed and rejected the same as claim 2.

With regard to claim 5, Kakiuchi et al discloses an output image data generation part that generates output image data in the image data and outputs it (see Fig. 1 item 202), the determination part instructs the output image data generation part to stop the output of the output image data when the determination part determines that the possibility of including the specific image in the image data is high (see col. 10, lines 25-32).

Claims 6, 8 and 11 are similarly analyzed and rejected the same as claim 1.

Claims 7 and 9 are similarly analyzed and rejected the same as claim 2.

Claim 10 is similarly analyzed and rejected the same as claim 5.

Claim 12 is similarly analyzed and rejected the same as claim 1. As to the additional limitation of "a plurality of recognition parts that are provided corresponding to a type of rendering object" (see Fig. 2, items 2011, 2012 and 2013, comprises plurality of recognition process).

Claims 13 and 14 are similarly analyzed and rejected the same as claims 2 and 12.

Claims 15 and 19 are similarly analyzed and rejected the same as claim 4.

Claim 12 is similarly analyzed and rejected the same as claim 16.

Claims 16-18 are similarly analyzed and rejected the same as claims 1, 2 and 12.

***Conclusion***

**3. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Communication Information***

**4.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to YOSEF KASSA whose telephone number is (703) 306-5918. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, BHAVESH MEHTA can be reached on (703) 308-5246. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 regular communication and (571) 273-8300 for after Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the customer service office whose telephone number is (703) 306-5631. The group receptionist number for TC 2600 is (703) 305-4700.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**PATENT EXAMINER**

Yosef Kassa



06/21/2005.



**BHAVESH M. MEHTA**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2600**